

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2357

Chapter 180, Laws of 2012

62nd Legislature
2012 Regular Session

SALES AND USE TAX--CHEMICAL DEPENDENCY, MENTAL HEALTH TREATMENT,
THERAPEUTIC COURTS

EFFECTIVE DATE: 06/07/12

Passed by the House March 8, 2012
Yeas 76 Nays 22

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 8, 2012
Yeas 41 Nays 8

BRAD OWEN

President of the Senate

Approved March 29, 2012, 7:10 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2357** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

March 29, 2012

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2357

Passed Legislature - 2012 Regular Session

State of Washington 62nd Legislature 2012 Regular Session

By House Ways & Means (originally sponsored by Representatives Darneille, Kirby, Ladenburg, Green, Jinkins, Kagi, and Tharinger)

READ FIRST TIME 03/08/12.

1 AN ACT Relating to sales and use tax for chemical dependency,
2 mental health treatment, and therapeutic courts; and amending RCW
3 82.14.460.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 82.14.460 and 2011 c 347 s 1 are each amended to read
6 as follows:

7 (1)(a) A county legislative authority may authorize, fix, and
8 impose a sales and use tax in accordance with the terms of this
9 chapter.

10 (b) If a county with a population over eight hundred thousand has
11 not imposed the tax authorized under this subsection by January 1,
12 2011, any city with a population over thirty thousand located in that
13 county may authorize, fix, and impose the sales and use tax in
14 accordance with the terms of this chapter. The county must provide a
15 credit against its tax for the full amount of tax imposed under this
16 subsection (1)(b) by any city located in that county if the county
17 imposes the tax after January 1, 2011.

18 (2) The tax authorized in this section is in addition to any other
19 taxes authorized by law and must be collected from those persons who

1 are taxable by the state under chapters 82.08 and 82.12 RCW upon the
2 occurrence of any taxable event within the county for a county's tax
3 and within a city for a city's tax. The rate of tax equals one-tenth
4 of one percent of the selling price in the case of a sales tax, or
5 value of the article used, in the case of a use tax.

6 (3) Moneys collected under this section must be used solely for the
7 purpose of providing for the operation or delivery of chemical
8 dependency or mental health treatment programs and services and for the
9 operation or delivery of therapeutic court programs and services. For
10 the purposes of this section, "programs and services" includes, but is
11 not limited to, treatment services, case management, and housing that
12 are a component of a coordinated chemical dependency or mental health
13 treatment program or service.

14 (4) All moneys collected under this section must be used solely for
15 the purpose of providing new or expanded programs and services as
16 provided in this section, except as follows:

17 (a) For a county with a population larger than twenty-five thousand
18 or a city with a population over thirty thousand, which initially
19 imposed the tax authorized under this section prior to January 1, 2012,
20 a portion of moneys collected under this section may be used to
21 supplant existing funding for these purposes as follows: Up to fifty
22 percent may be used to supplant existing funding in calendar years
23 2011-2012; up to forty percent may be used to supplant existing funding
24 in calendar year 2013; up to thirty percent may be used to supplant
25 existing funding in calendar year 2014; up to twenty percent may be
26 used to supplant existing funding in calendar year 2015; and up to ten
27 percent may be used to supplant existing funding in calendar year 2016;

28 (b) For a county with a population larger than twenty-five thousand
29 or a city with a population over thirty thousand, which initially
30 imposes the tax authorized under this section after December 31, 2011,
31 a portion of moneys collected under this section may be used to
32 supplant existing funding for these purposes as follows: Up to fifty
33 percent may be used to supplant existing funding for up to the first
34 three calendar years following adoption; and up to twenty-five percent
35 may be used to supplant existing funding for the fourth and fifth years
36 after adoption;

37 (c) For a county with a population of less than twenty-five
38 thousand, a portion of moneys collected under this section may be used

1 to supplant existing funding for these purposes as follows: Up to
2 eighty percent may be used to supplant existing funding in calendar
3 years 2011-2012; up to sixty percent may be used to supplant existing
4 funding in calendar year 2013; up to forty percent may be used to
5 supplant existing funding in calendar year 2014; up to twenty percent
6 may be used to supplant existing funding in calendar year 2015; and up
7 to ten percent may be used to supplant existing funding in calendar
8 year 2016; and

9 ~~((c) Notwithstanding (a) and (b))~~ (d) Notwithstanding (a) through
10 (c) of this subsection, moneys collected under this section may be used
11 to support the cost of the judicial officer and support staff of a
12 therapeutic court.

13 (5) Nothing in this section may be interpreted to prohibit the use
14 of moneys collected under this section for the replacement of lapsed
15 federal funding previously provided for the operation or delivery of
16 services and programs as provided in this section.

Passed by the House March 8, 2012.

Passed by the Senate March 8, 2012.

Approved by the Governor March 29, 2012.

Filed in Office of Secretary of State March 29, 2012.